

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

**NANCY WEVER as Personal
Representative of the Estate of
DENNIS WEVER, Deceased,**

Plaintiff,

vs.

**LINCOLN COUNTY, NEBRASKA,
JAMES CARMAN, individually and in
his capacity as Lincoln County Sheriff;
MARTIN GUTSCHENRITTER, in his
capacity as North Platte Chief of
Police; CITY OF NORTH PLATTE,
JOHN DOES 1-10, and JOHN DOES 11-
20,**

Defendants.

CASE NO. 7:02CV5016

ORDER OF PARTIAL DISMISSAL

This matter is before the Court on the parties' Stipulation for Dismissal with Prejudice (Filing No. 77). The stipulation complies with the requirements of Fed. R. Civ. P. 41(a)(1)(ii), and the Court concludes that it should be approved. The Court's previous Order of Dismissal (Filing No. 78) is stricken.

Based upon the Stipulation and the Court's Memorandum and Order at Filing No. 48,

IT IS ORDERED:

1. The Order of Dismissal (Filing No. 78) is stricken from the record;
2. The Stipulation for Dismissal with Prejudice (Filing No. 77) is approved, and the relief requested therein is granted;
3. All remaining claims in this action against the following defendants only are dismissed with prejudice: Martin Gutschenritter; the City of North Platte, Nebraska; and John Does 1-10; and

4. As to the Plaintiff and the Defendants named in paragraph three or this order, those parties shall pay their own costs and attorney fees unless otherwise agreed by and between them.

DATED this 27th day of May, 2005.

BY THE COURT

s/Laurie Smith Camp
United States District Judge